

**RECEIVED**

DEC 18 2015

*Walt Peterson Fine Art*

U.S. DISTRICT COURT  
MIDDLE DISTRICT OF TN.

*Fine Art Portraiture and Originals in Oils*

December 17, 2015

Re: Case No.3:15 – CV -00847

Walter Peterson - Pro Se  
22515 Blue Marlin Drive  
Boca Raton, Florida 33428

December 17, 2015

Honorable Judge Barbara D. Holmes  
US District Court  
801 Broadway #800  
Nashville, Tennessee 37203

Dear Judge Holmes,

My name is Water Peterson and I am one of the defendants in the Craig Cunningham v. Enagic Lawsuit.

Your Honor, I am writing you today because due to personal financial challenges I completely dropped the ball, if you will, in getting my response in to the court within the allotted time frame. I was so preoccupied in my work trying to make ends meet, I did not complete and return my answer within the 21 days and for that I do humbly apologize. Honestly it was a complete lapse in memory being preoccupied with business your Honor. My answer arrived yesterday the 16<sup>th</sup> exactly 9 days after the 21<sup>st</sup> day.

I've been a professional portrait painter for the last 25 years. Although I am blessed with a God given talent I was not so blessed when it comes to marketing, hence I began this new venture 2 months ago selling the Enagic Water Ionizer to create another stream of income. I can market other products quite well; I just have a hard time tooting my own horn when it comes to my own artwork.

As an artist who does very detailed work, I personally get annoyed when a robo call or an automated call comes through on my cell or studio line. When I began working the Enagic business utilizing the PhoneBurner System, I made sure that it was not an automated dialer, knowing that there were new laws in force.

[www.waltpetersonfineart.com](http://www.waltpetersonfineart.com)

*22514 Blue Marlin Drive Boca Raton, Florida 33428*

I reviewed that specifically in the FAQ section of their website, which I have quoted on the summary of my submitted Answer. I even called the PhoneBurners attorney's and they both confirmed that to be the case. I've also provided case law to substantiate my position and complete innocence on this frivolous matter.

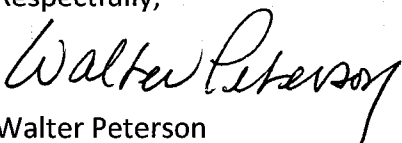
I spoke with Mr. Cunningham on several occasions and never once did he make any requests not to call him, or to place him on a DO NOT CALL list. Mind you all but one of my calls was made without PhoneBurner. We had friendly conversations about the product and I answered his questions and concerns. We also talked about his internet based nutrition business and I commented on how Enagic would be a great complement, to his existing business, with the great health benefits one receives by drinking alkaline water.

At the end of every call he would say that he would continue to entertain the opportunity and I would say I would stay in touch. I never sent him paperwork or anything remotely resembling asking for the order. Finally he said that he was no longer interested and I closed the file and never called again.

In closing Judge Holmes, I again apologize for delay in getting my response into the court. I believe when you do have the opportunity to read my answers to Mr. Cunningham's frivolous presumptions you will understand my position.

Thank you for taking your time from your schedule to read my letter your Honor and I hope you and your family have a very Merry Christmas.

Respectfully,

  
Walter Peterson

PRESS FIRMLY TO S



1007

PAID  
BOCA RATON, FL  
33428  
DEC 17, 15  
AMOUNT  
**\$19.99**  
00115786-04

**CUSTOMER USE ONLY**

FROM: (PLEASE PRINT) Walter Peterson  
22514 Blue Marlin Dr  
Boca Raton FL 33428

PHONE (801) 901 4489

**PAYMENT BY ACCOUNT (if applicable)**  
USPS® Corporate Acct. No. \_\_\_\_\_ Federal Agency Acct. No. or Postal Service™ Acct. No. \_\_\_\_\_

**DELIVERY OPTIONS (Customer Use Only)**  
☐ **SIGNATURE REQUIRED** (Note: This mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; 2) Purchases a delivery point guarantee; OR 3) Purchases COO service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.)  
☐ No Saturday Delivery (delivered next business day)  
☐ Sunday/Holiday Delivery Required (additional fee, where available\*)  
☐ 10:30 AM Delivery Required (additional fee, where available\*)  
 \*Refer to USPS.com® or local Post Office™ for availability.

TO: (PLEASE PRINT) Judge Barbara D. Holmes  
US District Court  
801 Broadway #800  
Nashville TN 37203

PHONE (615) 736-5498

ZIP + 4® (U.S. ADDRESSES ONLY) 37203

■ For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.  
■ \$100.00 insurance included.



**ORIGIN (POSTAL SERVICE USE ONLY)**

☒ 1-Day ☐ 2-Day ☐ Military ☐ DPO

PO ZIP Code 33428 Scheduled Delivery Date (MM/DD/YYYY) Dec 12/15

Date Accepted (MM/DD/YYYY) 12/15 Scheduled Delivery Time ☐ 10:30 AM ☒ 12 NOON ☐ 3:00 PM

Time Accepted 12:48 10:30 AM Delivery Fee \$ \_\_\_\_\_ Return Receipt Fee \$ \_\_\_\_\_ Live Animal Transportation Fee \$ \_\_\_\_\_

Weight 3 lbs. Flat Rate \$ \_\_\_\_\_ Sunday/Holiday Premium Fee \$ \_\_\_\_\_ Total Postage & Fees 19.99

Acceptance Employee Initials [Signature]

**DELIVERY (POSTAL SERVICE USE ONLY)**

Delivery Attempt (MM/DD/YYYY) Time ☐ AM ☐ PM Employee Signature \_\_\_\_\_

Delivery Attempt (MM/DD/YYYY) Time ☐ AM ☐ PM Employee Signature \_\_\_\_\_

LABEL 11-B, SEPTEMBER 2015 PSN 7690-02-000-9996 1-ORIGIN POST OFFICE COPY

WRITE FIRMLY WITH BALL POINT PEN ON HARD SURFACE TO MAKE ALL COPIES LEGIBLE.

TM  
I.S.

This packaging is the property of the U.S. Postal Service® and is provided solely for use in sending Priority Mail Express™ shipments. Misuse may be a violation of federal law. This packaging is not for resale. EP15E © U.S. Postal Service; July 2013; All rights reserved.

destinations. See DMM and IMM at [pe.usps.com](http://pe.usps.com) for complete details.  
+ Money Back Guarantee for U.S. destinations only.

**VISIT US AT USPS.COM®**  
ORDER FREE SUPPLIES ONLINE



**UNITED STATES  
POSTAL SERVICE.**